



UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

10 WEDGEWOOD COMMUNITY FUND II, LLC, ) Case No. CV 14-3024-UA (PJWx)  
11 Plaintiff, ) [PROPOSED] ORDER SUMMARILY REMANDING  
12 v. ) IMPROPERLY-REMOVED ACTION  
13 WANDA WEBSTER, ET AL., )  
14 Defendants. )  
15 \_\_\_\_\_ )  
16 \_\_\_\_\_ )

17 Before the Court is an unlawful detainer action that has been  
18 removed from the Los Angeles County Superior Court. For the following  
19 reasons, the case is summarily remanded to the state court.

20 On April 21, 2014, Defendant Wanda Webster, having been sued in  
21 the Superior Court of Los Angeles in what appears to be a routine  
22 unlawful detainer action, removed the action to this court. Simply  
23 stated, because Plaintiff could not have brought this action in  
24 federal court in the first place (because there is no subject matter  
25 jurisdiction), removal of the action is improper. 28 U.S.C.  
26 § 1441(a); see *Exxon Mobil Corp. v. Allapattah Svcs., Inc.*, 545 U.S.  
27 546, 563 (2005). The case does not meet the requirements of 28 U.S.C.  
28 § 1331 because it does not raise a federal question. See 28 U.S.C.

1    §§ 1331. And it does not meet the requirements of diversity  
2 jurisdiction because, even assuming that Defendant could establish  
3 that there was complete diversity of citizenship between the parties,  
4 she could not show that the amount in controversy exceeds \$75,000, as  
5 the Complaint makes clear that there is less than \$10,000 in dispute.

6 See 28 U.S.C. §§ 1332.

7       Accordingly, IT IS ORDERED that (1) pursuant to 28 U.S.C.  
8 § 1447(c), this matter is REMANDED to the Superior Court of  
9 California, County of Los Angeles, 110 North Grand Avenue, Los  
10 Angeles, California 90012; (2) the clerk shall send a certified copy  
11 of this Order to the state court; and (3) the clerk serve copies of  
12 the Order on the parties.

13      IT IS SO ORDERED.

14      DATED: April 25 2014

*Virginia L. Miles*

~~GEORGE H. KING~~  
UNITED STATES DISTRICT JUDGE

17 Presented by:

18      *Patrick J. Walsh*  
19      PATRICK J. WALSH  
20      UNITED STATES MAGISTRATE JUDGE

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